

Article - Transportation

[\[Previous\]](#)[\[Next\]](#)

§16–105.

(a) (1) Any individual who desires to obtain an original driver's license under this subtitle or to be licensed in a class for which the individual is not already licensed under this subtitle shall apply to the Administration for the desired driver's license.

(2) Except as provided in subsection (f) of this section, before issuing a driver's license, the Administration shall issue to each applicant a learner's instructional permit. The learner's instructional permit shall identify clearly the class of license for which the applicant has applied.

(3) (i) Each applicant for a learner's instructional permit who is under the age of 16 years shall present to the Administration a certified copy of the applicant's school attendance record.

(ii) The Administration may not issue a learner's instructional permit to an applicant under the age of 16 years if the applicant's school attendance record indicates more than 10 unexcused absences during the prior school semester.

(b) (1) The holder of a learner's instructional permit may drive the same vehicle and combinations of vehicles as may a holder of the class of driver's license for which the permit holder has applied, but only while accompanied by and under the immediate supervision of an individual who:

(i) Is at least 21 years old;

(ii) Has been licensed for at least 3 years in this State or in another state to drive vehicles of the class then being driven by the holder of the learner's instructional permit; and

(iii) Unless the vehicle is a motorcycle, is seated beside the holder of the learner's instructional permit.

(2) The individual supervising the holder of the learner's instructional permit under paragraph (1) of this subsection is the only individual allowed in the front seat of a motor vehicle with the permit holder while the permit holder is driving.

(c) The holder of a learner's instructional permit for a motorcycle may drive the motorcycle with another individual on it only if the other individual is one described in subsection (b)(1)(i) and (ii) of this section.

(d) (1) This subsection applies to an individual who:

(i) Seeks to obtain an original driver's license under this subtitle; and

(ii) Does not qualify for a learner's instructional permit under subsection (e) of this section.

(2) Except as provided in paragraph (3) of this subsection, an individual under the age of 19 years who holds a learner's instructional permit may not take a driver skills examination or driver road examination for a provisional license:

(i) Sooner than 9 months following the later of:

1. The date that the individual first obtains the learner's instructional permit; or

2. The most recent date the individual was convicted of, or granted probation before judgment under § 6-220 of the Criminal Procedure Article for, a moving violation;

(ii) Until after successful completion of:

1. The driver education program approved under Subtitle 5 of this title, consisting of at least 30 hours of classroom instruction and at least 6 hours of highway driving instruction; and

2. At least 60 hours, 10 hours of which must occur during the period beginning 30 minutes before sunset and ending 30 minutes after sunrise, of behind-the-wheel driving practice supervised by an individual who:

A. Holds a valid driver's license;

B. Is at least 21 years old; and

C. Has been licensed to drive for at least 3 years; and

(iii) Unless the individual submits, in accordance with the Administration's regulations, a completed skills log book signed by:

1. Each supervising driver who certifies that the individual has satisfactorily demonstrated a required skill and has completed the driving practice requirements of item (ii)2 of this paragraph; and

2. If a signature of a parent, guardian, or other person is required under § 16–107 of this subtitle, the parent, guardian, or other person who signs the individual’s application under that section.

(3) An individual who holds a learner’s instructional permit and who is 18 years old and has a high school diploma or its equivalent or is at least 19 years old but under the age of 25 years may not take a driver skills examination or driver road examination for a provisional license:

(i) Sooner than the later of:

1. 3 months following the date that the individual first obtains the learner’s instructional permit; or

2. 9 months following the most recent date the individual was convicted of, or granted probation before judgment for, a moving violation;

(ii) Until after successful completion of:

1. A standard driver education program approved under Subtitle 5 of this title, consisting of at least 30 hours of classroom instruction and at least 6 hours of highway driving instruction; and

2. At least 60 hours, 10 hours of which must occur during the period beginning 30 minutes before sunset and ending 30 minutes after sunrise, of behind-the-wheel driving practice supervised by an individual who:

A. Holds a valid driver’s license;

B. Is at least 21 years old; and

C. Has been licensed to drive for at least 3 years; and

(iii) Unless the individual submits, in accordance with the Administration’s regulations, a completed skills log book signed by each supervising driver who certifies that the individual has satisfactorily demonstrated a required skill and has completed the driving practice requirements under this paragraph.

(4) An individual at least 25 years old who holds a learner's instructional permit and has not been convicted of, or granted probation before judgment for, a moving violation may not take a driver skills examination or driver road examination for a provisional license:

(i) Sooner than 45 days following the date that the individual first obtains the learner's instructional permit;

(ii) Until after successful completion of:

1. A standard driver education program approved under Subtitle 5 of this title, consisting of at least 30 hours of classroom instruction and at least 6 hours of highway driving instruction; and

2. At least 14 hours, 3 hours of which must occur during the period beginning 30 minutes before sunset and ending 30 minutes after sunrise, of behind-the-wheel driving practice supervised by an individual who:

A. Holds a valid driver's license;

B. Is at least 21 years old; and

C. Has been licensed to drive for at least 3 years; and

(iii) Unless the individual submits, in accordance with the Administration's regulations, a completed skills log book signed by each supervising driver who certifies that the individual has satisfactorily demonstrated a required skill and has completed the driving practice requirements under this paragraph.

(5) An individual at least 25 years old who holds a learner's instructional permit and has been convicted of, or granted probation before judgment for, at least one moving violation may not take a driver skills examination or driver road examination for a provisional license:

(i) Sooner than 9 months following the most recent date the individual was convicted of, or granted probation before judgment for, a moving violation;

(ii) Until after successful completion of:

1. A standard driver education program approved under Subtitle 5 of this title, consisting of at least 30 hours of classroom instruction and at least 6 hours of highway driving instruction; and

2. At least 14 hours, 3 hours of which must occur during the period beginning 30 minutes before sunset and ending 30 minutes after sunrise, of behind-the-wheel driving practice supervised by an individual who:

- A. Holds a valid driver's license;
- B. Is at least 21 years old; and
- C. Has been licensed to drive for at least 3 years; and

(iii) Unless the individual submits, in accordance with the Administration's regulations, a completed skills log book signed by each supervising driver who certifies that the individual has satisfactorily demonstrated a required skill and has completed the driving practice requirements under this paragraph.

(6) A learner's instructional permit issued to an individual described in paragraph (1) of this subsection expires 2 years after the date of issuance.

(e) (1) This subsection only applies to an individual who holds a license and who seeks a different class license to drive a motor vehicle that, under the individual's current license, the individual is not authorized to drive.

(2) The holder of a learner's instructional permit may not take the driver's license examination sooner than 14 days after the permit is issued.

(3) The 14 days' requirement may be waived if a subsequent learner's instructional permit is issued or applied for.

(4) A learner's instructional permit issued to an individual described in paragraph (1) of this subsection expires 180 days after date of issuance.

(f) (1) Subject to paragraph (3) of this subsection, the Administration may issue a driver's license, without first issuing a learner's instructional permit and without a waiting period, to any individual who:

(i) Has been licensed regularly to drive in this State, in another state or country, or by the armed forces of the United States, if the Administration is satisfied that the applicant's experience in driving vehicles of the type that would be authorized by the license class applied for is sufficient to justify issuance of the license without further training; or

(ii) Has successfully completed the Administration approved basic motorcycle safety course.

(2) The Administration may:

(i) Examine the applicant's driving as provided in § 16-110 of this subtitle; or

(ii) Issue a provisional license, if appropriate, under § 16-111(e) of this subtitle.

(3) An individual who never held a driver's license issued by the Administration or by another state, but who otherwise may obtain a license under paragraph (1)(i) of this subsection without first obtaining a learner's instructional permit, shall successfully complete a 3-hour alcohol and drug education program established by the Administration under § 16-212.1 of this title before qualifying for a driver's license.

(g) An individual holding a learner's instructional permit issued under this section may not drive or attempt to drive a motor vehicle on any highway in this State in violation of any of the provisions of this section.

[\[Previous\]](#)[\[Next\]](#)